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FINDINGS OF FACT,
CONCLUSIONS AND ORDER

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1 the reasons why the transfer is requested; and states the
2 number of school-age children (four) residing in the
3 territory.

4 2. The territory to be transferred is adjacent to the
5 district to which it is to be attached (School District
6 legal descriptions and GIS mapping).

7 3. The territory to be transferred is located approximately
8 60 miles (utilizing Lincoln Road West and then I-90
9 North) from the only operating school (Wolf Creek) in the
10 district from which it is to be transferred. Utilizing
11 the Sieban Road Route, the territory is approximately 38
12 miles from Wolf Creek School and by way of Lincoln Road
13 and Highway 200, it is approximately 45 miles from that
14 same school. In contrast, the territory to be
15 transferred is approximately 15 miles Northwest toward
16 Flesher Pass along Lincoln Road from the only operating
17 school (Trinity) in the district that would receive the
18 territory.

19 4. The territory is comprised of 71 properties with taxable
20 value (Montana Department of Revenue, 2002).

21 5. The Board of Trustees of the receiving school district
22 has approved the proposed transfer by resolution at a
23 meeting for which proper notice was given (See attached
24 Board Resolution, notice, agenda and minutes of board
25 meeting).

1 6. The Board of Trustees of the transferring district has
2 approved the proposed transfer by resolution at a meeting
3 for which proper notice was given (See attached Board
4 Resolution, notice, agenda and minutes of board meeting).
5 From the foregoing facts, I make the following
6 conclusions:

7 CONCLUSIONS

- 8
- 9 1. The petition conforms to the requirements found in SB 16
10 that was signed into law during the 2003 legislative
11 session in that more than 60% of the registered electors
12 signed the petition; a legal description of the territory
13 to be transferred and a description of the district to
14 receive the territory are both provided; reasons are
15 stated for the request; and school-age children reside in
16 the territory.
- 17 2. The territory is contiguous to the district to which it
18 is to be attached (Trinity School District #4) and
19 includes taxable property.
- 20 3. The territory is located more than 3 miles from the
21 operating school in the district from which it is to be
22 transferred.
- 23 4. The board of trustees from each district (transferring
24 and receiving) has approved the proposed transfer by
25 adopted resolutions approved by the majority of the

1 members of each board at meetings for which proper notice
2 was given.

- 3 5. As provided in SB 16 signed into law during the 2003
4 legislative session, when both the trustees of the
5 receiving and transferring school districts have approved
6 the proposed territory transfer in writing, the county
7 superintendent shall grant the transfer.

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9 ORDER

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11 Based on the foregoing findings of fact and conclusions,
12 NOW, THEREFORE, IT IS ORDERED, that the petition to
13 transfer the described territory to School District #4 is
14 approved. The decision of the county superintendent is
15 final 30 days after the date of this decision. This
16 matter may be appealed to the district court by a
17 resident, taxpayer, or representative of either district
18 affected by the petitioned territory transfer.

19
20 DATED this _____ day of _____, 2003.

21
22 _____
23 MARSHA DAVIS

24 Lewis and Clark County
25 Superintendent of Schools

CERTIFICATE OF MAILING

THIS IS TO CERTIFY THAT ON THE _____ DAY OF _____,
2003, a true and exact copy of the foregoing Order was mailed,
postage prepaid to:

Poo Putsch, Board Chair
Trinity School District
PO Box 523
Canyon Creek, MT 59633

Kim Ryan, Board Chair
Wolf Creek School District
PO Box 196
Wolf Creek, MT 59648

MARSHA DAVIS

Lewis and Clark County
Superintendent of Schools

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